

**PSS Office of Procurement and Supply  
Frequently Asked Questions  
Procurement Regulations**

***Q: Which authority(ies) is accountable for the observance of procurement regulations and/or responsible for strict adherence of procurement and supply in the CNMI-PSS?***

**A:** The procurement regulations are promulgated under Public Law 6-10 which make the Board of Education accountable and the Commissioner of Education responsible for procurement and supply in the Commonwealth of the Northern Mariana Island's [sic] Public School System. See **Section 60-40-005 Authority**.

***Q: What is the role of the Office of Procurement and Supply?***

**A:** To inspect and ensure that all school and program purchases comply with procurement regulations irrespective of amounts. This office neither decides on the needs of schools or programs nor the urgency of those needs. **Section 60-40-110** authorizes the Commissioner of Education to appoint a Chief of Procurement and Supply to administer and supervise the day-to-day activities of the division. The duties of the Chief, under this section, include:

- (a) Oversee that these regulations are observed in all PSS procurement;
- (b) Hear all appeals of protests and disputes;
- (c) Conduct bidding, procurement, negotiation or administration of PSS contracts upon request of the official with expenditure authority (Commissioner of Education);
- (d) Provide advanced planning for the centralized purchase of PSS supplies;
- (e) Exercising general supervision and control over all inventories of supplies belonging to the PSS;
- (f) Establish and maintain programs for the inspection, testing, and acceptance of supplies; and
- (g) Exercise general supervision and control over employees of this division.

***Q: Why do I need to obtain three (3) quotes for small purchases?***

**A:** Procurement regulations require schools and programs, through the expenditure authority, to seek out three (3) quotes. These regulations include:

- **Subsection 60-40-001 (b)(1):** To provide for public confidence in the procedures followed in public procurement;
- **Subsection 60-40-001 (b)(2):** To insure the fair and equitable treatment of all persons who deal with the procurement system of the PSS;

- **Subsection 60-40-001 (b)(3):** To provide increased economy in PSS procurement activities and to maximize to the fullest extent practicable the purchasing value of public funds;
- **Subsection 60-40-001 (b)(4):** To foster broad-based competition within the free enterprise system;
- **Subsection 60-40-210 (c):** Price quotations from at least three (3) vendors must be obtained and the selection based on competitive price and quality for procurement valued at under \$10,000.

***Q: Can I seek out a single quote if the purchase request does not exceed \$250?***

**A:** Yes. Subsection 60-40-210 (b) permits schools and programs to seek out one (1) quote for purchases not exceeding \$250; however, the Chief of Procurement and Supply must consider the price reasonable AND such determination, made in writing, shall indicate:

- (1) The reason why price quotations were not sought;
- (2) The utility of the purchase;
- (3) An explanation of why the price is reasonable under the circumstances.

***Q: Can I seek out a single quote for small purchases above \$250 and under \$10,000?***

**A:** Yes. Subsection 60-40-210 (c) provides that, IF it is an emergency and three price quotations are not practicable, the purchase shall function as an emergency procurement and follow **Section 60-40-220 Emergency Procurement**. In addition, Subsection 60-40-210 (d) provides that, purchase orders may be utilized for small purchases in subparagraph (b) and (c) only and that purchase orders may also be utilized instead of contracts for purchasing instructional materials, books, and publication. Lastly, emergency and sole-source procurement allow for the selection of a vendor/contractor set at **Sections 60-40-215 and 60-40-220**, respectively.

***Q: What form am I required to use for small purchases valued at \$1 - \$2,500?***

**A:** Small/Emergency Purchase Order (SEPO) form

***Q: What form am I required to use for small purchases valued at \$2,501 - \$10,000?***

**A:** Purchase Requisition (PR) form.

***Q: What documents must accompany my SEPO request?***

**A:** The following documents, in support of your SEPO/PR request, include:

- (1) Justification memo;
- (2) Request for Quotation that predate the dates on price quotations; and
- (3) Three (3) price quotations from three (3) different vendors;

***Q: Who signs off on emergency, sole source, and competitive sealed bidding procurement requests?***

**A:** The following authorized PSS personnel must concur/approve requests involving emergency procurement, sole source procurement, and competitive sealed bidding:

1. The authorized school/program making the request;
2. Supervisor or legal custodian (if applicable) assigned to the account that the purchase will be charged to;
3. Commissioner of Education or designee: Concurring and approving the school or program's request;
4. Chief of Procurement and Supply: Attesting that the request meets procurement type regulations; and
5. Finance or Federal: Certifying that Funds are available.

***Q: Can my school or program obtain goods and services in the absence of an approved purchase order?***

**A:** No. The PO binds CNMI-PSS with a supplier/vendor/contractor in terms of payment for such. Absent this binding agreement or contract, the responsible employee or supplier/vendor/contractor is/are responsible for incurred losses resulting from this unauthorized procurement. Moreover, the following regulations provide:

**Section 60-40-030 Validity of Contract.** No PSS contract covered by the regulations in this chapter shall be valid unless it complies with these regulations; and

**Subsection 60-40-115 (i) Contract Oversight.** It is the responsibility of the official with expenditure authority (Commissioner of Education) to ensure that the contractor does not sign the contract or incur any expenses under it until all necessary government signatures have been obtained. The supervision and inspection of a project is the primary responsibility of the official with expenditure authority.

***Q: What are some causes of disapproval of procurement requests?***

**A:** There three (3) main reasons a procurement request may be denied include:

- (1) No funding
- (2) Disapproval from the Commissioner of Education
- (3) Request does not comply with procurement regulations

***Q: From submission, how long before I find out the results of my procurement request?***

**A:** P&S wants to achieve and sustain a under five-day turnaround time for all procurement types but this goal is dependent on a school or program's submission (completeness and compliance with regulations) and the cooperation of all authorized signatories.

***Q. Are contracts and/or purchase requests for goods and services, in excess of \$10,000, subject to competitive sealed bidding?***

**A:** No. Section 60-40-201: Unless authorized by law or regulation, all PSS contracts above \$10,001.00 subject to [Section 60-40-210 Small Purchases] shall be awarded by competitive sealed bidding, **except** as provided in: (a) 60-40-210 (Small Purchases); (b) 60-40-215 (Sole Source Procurement); (c) 60-40-220 (Emergency Procurement); (d) 60-40-225 (Competitive Sealed Proposals); (e) 60-40-230 (Professional Services); and 60-40-305 (Architect-Engineer Services).